

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**S.R. as guardian and next friend of  
H.D.R., a minor,**

**Plaintiff,**

**vs.**

**Civil No. 01-162 RLP/LCS ACE**

**UNITED STATES OF AMERICA,**

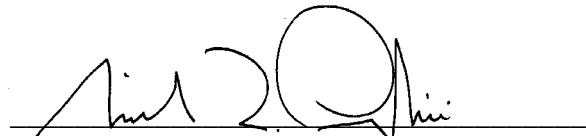
**Defendant.**

**MEMORANDUM OPINION AND ORDER  
DISMISSING PLAINTIFF'S CLAIM FOR INJUNCTIVE RELIEF.**

This matter comes before the Court on Defendant's Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(1), for lack of subject matter jurisdiction. The court previously dismissed Plaintiff's claims for declaratory relief and damages, and instructed the parties to brief the viability of Plaintiff's claims for injunctive relief on behalf of the students of Laguna Pueblo. (Docket No. 21). Plaintiff has conceded that the court has no jurisdiction to consider this equitable claim. (Docket No. 23).

**I FIND** that the court has no jurisdiction over Plaintiff's Claim for injunctive relief. 28 U.S.C.A. § 1346(b)2675(a).

**IT IS THEREFORE ORDERED** that Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction is hereby granted as to Plaintiff's remaining claims for Injunctive relief, and that Plaintiff's Complaint is hereby dismissed with prejudice.

  
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RICHARD L. PUGLISI  
UNITED STATES MAGISTRATE JUDGE  
(sitting by designation)

For the Plaintiff:

Anthony F. Little, Esq.

For the Defendant

Jan Elizabeth Mitchell, Esq.

Norman C. Bay, Esq.